IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal Writ Petition No.1092 of 2003

Ajinkya Builders & Others ..Petitioners

Versus

Union of India & Others ..Respondents

Mr.S.A.Sawant for the petitioner
Mr.D.S.Mhaispurkar, APP for the State
Mr.Rajesh Parab for the respondent no.2.

CORAM: S.B.MHASE &
S.R.SATHE, JJ.

DATE : 23rd August, 2005

P.C.

1. This petition has been filed challenging the vires of Section 27 of the Consumer Protection Act, 1988 and thereby, inter alia, challenging the warrant issued under Section 27 of the Consumer Protection Act in Complaint No.110 of 1997, issued by the District Consumer Forum, Nasik. During the pendency of this petition, interim stay was granted. However, the constitutuional validity of the Consumer Protection Act, 1988 has been considered by the Apex Court in matter of **State of Karnataka vs. Vishwanath House Building Co-op. Society and Others reported in AIR 2003 SC 1043.** Para 58 onwards of the said Judgment specifically deals with Section 27 of the Consumer

Protection Act and ultimately the said Section has been held valid by the Hon’ble Supreme Court. In view of this, the petition does not survive. Therefore, petition is disposed of in view of the above referred judgment.

2. Rule is discharged. Interim relief is vacated.

3. The District Consumer Redressal Forum, Nashik is directed to continue the proceeding from the stage where it was stayed.

(S.R.Sathe, J.) (S.B.Mhase, J.)

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